

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1 and 4-14 are currently pending. Claims 1, 13, and 14 are independent. Claims 1, 13, and 14 are hereby amended. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed, specifically at pages 11 and 25. Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1 and 4-14 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,133,947 to Mikuni (hereinafter merely “Mikuni”), in view of U.S. Patent No. 6,282,362 to Murphy et al, (hereinafter merely “Murphy”), and further in view of U.S. Patent No. 6,195,122 to Vincent, (hereinafter merely “Vincent”).

Claim 1 recites, *inter alia*:

A digital photographing apparatus, portably structured, for recording a photographed digital picture signal to a recording medium and reproducing a digital picture signal from the recording medium, comprising:

....
recording means for writing to the recording medium
said data comprising data relating to both the digital picture signal

supplied from said signal processing means and the position information supplied from said position information obtaining means, said digital picture signal being recorded as a picture file and said position information being recorded as a position information file, said recording means associating data relating to the digital picture signal and data relating to the position information;

....
map information obtaining means for obtaining map information comprising range information defining a set of boundary points of a map, thereby enabling a user of the digital photographing apparatus to choose a part of the map using the range information;

table creating means for creating a table that associates the position information file with said map information and said picture file; and

....
whereby a picture from the picture file, at a location corresponding to said icon, is displayed.

As understood by Applicants, Mikuni is related to an image processing system utilized with a car navigation system. An image photographed by a digital camera is coordinated with a map image in relation to this photographed image, so that a driver can readily confirm where this photographed image has been acquired with respect to the map. The image processing system includes: an image storage unit for storing photographed image data and positional information data acquired in correspondence with the photographed image data; a map image storage unit for storing map image data; a retrieval unit for retrieving a position with respect to the map image data stored in the map image storage unit based upon the positional information data stored in the image storage unit; and an image output unit for outputting a map image of the map image data about the position retrieved by the retrieval unit, and a photographed image of the photographed image data in correspondence with the map image data.

As understood by Applicants, Murphy is related to a geographical position/image capturing system that stores object images and position coordinates as digital data. The system incorporates a geo-addressed map database and geo-positioning device for relating the position of the system at the time the image is captured to the captured digital image data and the geo-addressed map. A point-of-interest feature database is linked to the image data and the position data, by hyper-media links. Digital multi-media entities such as graphics, video clips, audio streams and the like can be digitally stored and retrieved based on hyper-media links coupling the entities to the object images, the map position and feature data base. A playback unit incorporating an image viewer communicates with the stored digital image data, the multi-media entities, the map database, and the feature database and allows modified images of selected portions of the images and other data to be viewed by a user. An audio reproduction device may be included to reproduce the audio media entities when they are selected by the appropriate hyper-media link.

As understood by Applicants, Vincent is related to an image system that captures, along with the images, information defining both the position and the orientation of a camera along with the distance to the subject. A video camera is attached to three accelerometers, two gyroscopes, and a rangefinder. Data gathered from these devices and defining the pitch, yaw, and roll of the camera, the camera's acceleration, and the camera's distance to the subject is captured and recorded along with the video images. The video images are later stored within a computer's database along with data defining the position and the orientation of the camera, and the distance to the subject for each image. The images may then be presented to a user in a three-dimensional display in which the user can navigate through the images using a joystick or a mouse.

None of the above three citations, i.e. Vincent, Murphy, and Mikuni individually or in various combinations, teaches or suggests the digital photographing apparatus of claim 1. For example, there is no teaching of the map information obtaining means for obtaining map information comprising range information defining a set of boundary points of a map, thereby enabling a user of the digital photographing apparatus to choose a part of the map using the range information. Nor is there teaching of table creating means for creating a table that associates the position information file with said map information and said picture file; as recited in claim 1.

Therefore, Applicants submit that claim 1 is patentable.

For reasons similar to those described above with regard to independent claims 13 and 14, are also believed to be patentable.

Therefore, Applicants submit that independent claims 1, 13 and 14 are patentable.

III. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

Claims 1 and 4-14 are in condition for allowance. In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorney for Applicants

By: William S. Frommer 41,442 for
William S. Frommer
Reg. No. 25,506
(212) 588-0800